

UNITED STATES DISTRICT COURT

MAR 15 2015

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.
Roberto Martinez
 ALMA Roberto MARTINEZ
 USC YOB: 1988

CRIMINAL COMPLAINT

Case Number: *M-15-0376-M*

I, Juan Hernandez, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about March 11, 2015 in Hidalgo County, in
 (Date)
 the Southern District of Texas Defendant(s) did,

Knowing and in reckless disregard of the fact that Delvi Rodail PEREZ-Vail, Luis Edwin CHOGUAI-Cuc and Orlinda ALVAREZ-Garcia, who were aliens, who had come to, entered and remained in the United States in violation of law, conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such aliens in any place, including any building or means of transportation; to wit a residence in Weslaco, Texas.

in violation of Title 8 United States Code, Section(s) 1324 Felony.

I further state that I am a(n) Special Agent Juan Hernandez And that this complaint is based on the
 following facts:
 Official Title

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Signature of Complainant

SA Juan Hernandez

Printed Name of Complainant

Sworn to before me and signed in my presence,

March 15, 2015

Date

4:10pm at

McAllen, Texas

City and State

U.S. Magistrate Judge Peter Ormsby

Name and Title of Judicial Officer

Signature of Judicial Officer

Attachment "A"

On March 11, 2015, U.S. Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI), McAllen, Texas received information from the Weslaco, Texas Border Patrol Station about an accident they were informed of by the Donna, Texas Police Department (PD). The PD was requesting assistance with a three vehicle accident caused by an alien loaded vehicle speeding. The accident was at the intersection of Mile 12 1/2 and FM 493 in Donna, Texas.

The driver was identified as a United States Citizen named Roberto MARTINEZ (Patino). An inspection of the vehicle revealed six undocumented aliens (UDAs), four adult male and two adult females. All the UDAs claim to be citizens of Guatemala with no legal immigration status to be present in the U.S.

Donna PD informed the Weslaco Border Patrol Station all the subjects in the vehicle that caused the accident, were UDAs, except the driver. They also stated that they were at least nine subjects in the vehicle and that four subjects had already been transported to the hospital. Among the four subjects taken to the hospital, was the driver and principle Roberto MARTINEZ. Donna PD stated that two subjects had absconded from the scene.

On March 12, 2015, HSI McAllen, Texas SA's Juan Hernandez and Eduardo Casas interviewed Roberto MARTINEZ at the Doctors Hospital at Renaissance in Edinburg, Texas. SA Hernandez advised Roberto MARTINEZ of his Miranda Rights as witnessed by SA Casas. MARTINEZ stated he understood his rights and waived them by signing the waiver form. MARTINEZ admitted he that he was the driver of the vehicle involved in the accident and knew the people he was transporting were UDAs. He stated he had picked up the UDAs at a location around Montecristo Road in Edinburg, Texas and was to transport the UDAs to a drop off location north on FM 493 in Donna, Texas.